

**MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY,  
DECEMBER 21, 2009 AT 6:00 P.M. IN THE CHAMBERS OF TOWN HALL,  
LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.**

**CALL TO ORDER**

Mayor Kilvinger called the meeting to order at 6:00 p.m.

**ROLL CALL**

Present: Kilvinger, Smith, Woolridge, Celaya, Raasch, Hawkins, Brown

**PLEDGE OF ALLEGIANCE**

Councilmember Woolridge led the Pledge of Allegiance.

**CALL TO THE PUBLIC**

There were no public comments.

**PUBLIC HEARING AND PRESENTATIONS**

**Public Hearing on Arizona State Trust Lands Annexations:**

- i. **Annexation No. 2009-01 Lookout Mountain I**
- ii. **Annexation No. 2009-02 Twin Peaks**
- iii. **Annexation No. 2009-03 Sliver**
- iv. **Annexation No. 2009-04 CAP**
- v. **Annexation No. 2009-05 Parkway**
- vi. **Annexation No. 2009-06 Rodeo**

Mr. Mark Eckhoff, Planning Director, stated the annexations were included in the State Land Agreement. He said a public hearing is required for the above-mentioned annexations. He said 2730 acres will be added to the Town limits should the annexations go through. He briefly discussed the location of each annexation.

Mayor Kilvinger opened the public hearing.

Vice-Mayor Smith stated that the landfill is not annexed into the Town limits.

Councilmember Raasch asked if there are any foreseeable problems with the annexations.

Mr. Eckhoff stated that he does not anticipate any problems with the annexations. There have been several discussions with the interested parties. He said zoning has also been discussed. He said there may be comments in regards to zoning for Lookout Mountain I, Lookout Mountain II and the Barkley annexations because of proximity to the Gila River Indian Community. They have already indicated their concerns regarding

appropriate buffering and transferring of land uses. The Town is doing everything possible to ease their concerns.

Mayor Kilvinger closed the public hearing.

**Presentation by Marilyn Mays of Henry and Horne LLP Certified Public Accountants, regarding the 2009 fiscal year audit; and acceptance of the June 30, 2009 fiscal year audit report.**

Ms. Becki Guillin, Finance Director, gave a brief overview of what was reviewed pertaining to the June 30, 2009 audit.

Ms. Marilyn Mays, Henry and Horne, LLP Certified Public Accountants, stated that the audit was conducted in accordance to the Generally Accepted Accounting Standards and Government Auditing Standards applicable to financial audits issued by the Controller General of the United States. She gave a brief overview of how the audit was conducted and briefly discussed what each report represents.

Ms. Mays said there were no findings regarding internal controls. She stated there were no deficiencies pertaining to the single audit of the major federal award for the Silver King and the Town was in compliance with the US Department of Transportation.

On motion of Councilmember Celaya, seconded by Councilmember Raasch and carried to accept the June 30, 2009 fiscal year audit report.

**CONSENT: All items indicated by an (\*) will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.**

- a. **\*Authorization to Execute an Addendum to the Streetlight Service Agreement with APS APS Streetlight Service Agreement**
- b. **\*Authorization to Execute an Addendum to the Streetlight Service Agreement with APS.**
- c. **\*Authorization to enter into an Equipment Lease Agreement with Pinal County.**
- d. **\*Acceptance of the register of demands ending November 30, 2009 in the amount of \$1,897,460.52.**

On motion of Councilmember Woolridge, seconded by Vice-Member Smith and carried to accept the consent agenda as written with the exception of Item 6a.

- a. **\*Authorization to Execute an Addendum to the Streetlight Service Agreement with APS Streetlight Service Agreement**

Vice-Mayor Smith inquired about the difference between the old and new agreement with APS.

Mr. Jess Knudson, Assistant to the Town Manager, stated the difference between the agreements is that the Town of Florence will be responsible for surveying the streetlights which are out and outages in the community. He said that previously APS would routinely check for streetlights that needed repairs on a quarterly basis.

Vice-Mayor Smith inquired if all streetlights were included in the agreement.

Mr. Knudson stated there are some exclusions in the Florence Gardens area.

Mr. Himanshu Patel, Town Manager, stated that the agreement is in conjunction with when the Town acquired the streetlights in 2003/2004. He explained the service agreement and said Florence does not own the streetlights in the Florence Gardens/Caliente area and they are managed by San Carlos.

Councilmember Brown asked how the outages get reported to APS.

Mr. Patel stated that Public Works oversees the reporting of outages to APS which allows for proper tracking.

On motion of Vice-Mayor Smith, seconded by Councilmember Raasch and carried to accept Item 6a. on the consent agenda as written.

## **UNFINISHED BUSINESS**

### **Discussion/Approval/Disapproval of entering into an Intergovernmental Agreement with the City of Coolidge to expand Cotton Express transit services to Florence.**

Councilmember Celaya stated that the Cotton Express transit was a great idea, but unfortunately, the Town is unable to utilize it at this time, and that it can be looked at again in the future.

On motion of Councilmember Woolridge, seconded by Councilmember Brown and carried to disapprove entering into an Intergovernmental Agreement with the City of Coolidge to expand Cotton Express transit services to Florence.

## **NEW BUSINESS**

### **Discussion/Approval/Disapproval of accepting a donation to the Dorothy Nolan Senior Center from Virgil Auen Estate, ING USA Annuity and Life Insurance Company Harmony Hospice, in the amount of \$4,537.88.**

Mr. Ray Hartzel, Interim Parks and Recreation Director, stated that Mr. Virgil Auen was an active participant at the Senior Center with his wife Phyllis. Regrettably, Mr. Auen lost his battle to cancer. Mrs. Auen will continue to be a vital member of the Center.

Mayor Kilvinger and Council offered their condolences to Mrs. Auen and expressed appreciation for their generosity.

On motion of Councilmember Brown, seconded by Councilmember Raasch and carried to accept the donation to the Dorothy Nolan Senior Center from Virgil Auen Estate.

**Resolution No 1219-09: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING AN ADOPTION AUTHORITY POLICY SPECIFYING THAT LEGISLATIVE POLICIES SHALL BE ADOPTED BY THE TOWN COUNCIL AND ADMINISTRATIVE POLICIES SHALL BE ADOPTED BY THE TOWN MANAGER.**

Mr. Knudson stated that that the Council previously discussed the Adoption Authority Policy at their Council retreat. He said the passage of the agenda item will create record for the policy, as well as remove from the Town's records a number of policies which are outdated or no longer relevant to the Town's operations. He said there are three primary functions for the policy:

- Create a general format for all new Town-wide policies to adhere to, and to make them user-friendly
- Creation of library for Town employees and Council to quickly identify and locate policies
- Provides adoption authority for the Town Council and the Town Manager
  - Town Council will adopt policies legislative in nature which define the responsibilities of/or direct the Town Manager, or are required by a superior governmental agency
  - The Town Council has the authority to adopt any policy at any time
  - The Town Manager will adopt policies that are operational in nature
  - The Town Manager has the authority to defer action to the Town Council at any time

On motion of Councilmember Raasch, seconded by Councilmember Celaya and carried to adopt Resolution No. 1219-09.

**Discussion/Approval/Disapproval of appointing the following board and commission members:**

**H. Christine Reid, Lynn Smith, and Ernest Feliz to the Historic District Advisory Board with terms to expire December 31, 2012.**

**Denise Kollert to the Library Advisory Board with a term to expire December 31, 2011.**

**Danny Turner and Don Pinson to the Parks and Recreation Advisory Board with terms to expire December 31, 2012.**

**Paul E. McClellan, James Petty, and Larry Putrick to the Planning and Zoning Commission with terms to expire December 31, 2012.**

Ms. Lisa Garcia, Town Clerk, stated that the Clerk's Office sent notice to all expiring Board and Commission members as well as advertised in the Florence Reminder, on the Town's website, and sent notice to the Anthem website. She stated that there are still vacancies which the Town is actively attempting to fill. The Town Code states that any member that is currently serving and has an expired term will continue to serve until their replacement has been appointed. She stated that staff recommends appointment of all the listed individuals.

On motion of Councilmember Raasch, seconded by Councilmember Brown and carried to approve all of the applicants for the Boards and Commissions.

## **DEPARTMENT REPORTS**

### **Manager's Report**

#### **Department Reports**

**Courts**

**Finance**

**Fire**

**Library**

**Parks and Recreation**

**Planning & Zoning**

**Police**

**Public Works**

The Council received and filed the reports.

**CALL TO THE PUBLIC/COUNCIL RESPONSE:** Call to the Public for Public Comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Council Members may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.

There were no public comments.

## **CALL TO THE COUNCIL**

Councilmember Woolridge wished everyone a very Merry Christmas and a blessed and prosperous new year. She stated that she received a Christmas card from the President of the United States which was a blessing and a wonderful surprise.

Councilmember Brown thanked everyone for the wonderful Holiday luncheon.

Mayor Kilvinger and Council wished everyone a Merry Christmas and Happy New Year.

## **ADJOURNMENT**

Mayor Kilvinger adjourned the meeting at 6:35 p.m.


Florence Town Council Minutes

December 21, 2009


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\_\_\_\_\_  
Vicki Kilvinger, Mayor

ATTEST:

  
\_\_\_\_\_  
Lisa Garcia, Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council meeting held on December 21, 2009 and that the meeting was duly called to order and that a quorum was present.

  
\_\_\_\_\_  
Lisa Garcia, Town Clerk